

CONTRACT REQUEST FORM (CRF)

CEC-94 (Revised 1/11)

CALIFORNIA ENERGY COMMISSION



☒ New Contract 600-10-007 ☐ Amendment to Existing Contract: - - Amendment Number:

Division	Contract Manager:	MS-	Phone	CM Training Date
600 Fuels and Transportation Division	Michael Poe	44	916-654-4809	2/3/05

Contractor's Legal Name	Federal ID Number
Gilbert Associates, Inc.	68-0037990

Title of Project
Revenue Bond Accounting and Auditing Services

Term	Start Date	End Date	Amount
New/Original Contract	06 / 03 / 11	12 / 16 / 13	\$ 81,989

Line up the Amendment information as best as possible in the following boxes

Amendment #	End Date (mm/dd/yy)	Amount

Business Meeting Information			
Proposed Business Meeting Date	05/04/11	<input type="checkbox"/> Consent	<input checked="" type="checkbox"/> Discussion
Business Meeting Presenter	Chris Scott	Time Needed:	5 minutes

Agenda Item Subject and Description
Possible approval of a three year contract with Gilbert Associates, Inc. in the amount of \$81,989 to complete annual audits for the Series 2003A and Series 2005A Bond Issues of the Energy Efficiency Master Trust Revenue Bonds.

Business Meeting approval is not required for the following types of contracts: <i>Executive Director's signature is required in all cases.</i>
<input type="checkbox"/> Contracts less than \$10k (<i>Policy Committee's signature is also required</i>)
<input type="checkbox"/> Amendment for a no-cost time extension. Must be first extension, less than one year and original contract less than \$100k.
<input type="checkbox"/> Contracts less than \$25k for Expert Witness in Energy Facility licensing cases and amendments.

Purpose of Contract or Purpose of Amendment, if applicable
To obtain an experienced contractor to complete annual audits for each bond issue (2003A and 2005A), for three consecutive years (FY 2010-11, FY 2011-12, and FY 2012-13) as required by the Secured Loan Agreements and the Continuing Disclosure Agreements from the Energy Efficiency Master Trust Revenue Bonds including Series 2003A (dated April 10, 2003) and Series 2005A (dated April 27, 2005).

California Environmental Quality Act (CEQA) Compliance
<p>1. Is Contract considered a "Project" under CEQA?</p> <p><input type="checkbox"/> Yes: skip to question 2 <input checked="" type="checkbox"/> No: complete the following (PRC 21065 and 14 CCR 15378):</p> <p>Explain why contract is not considered a "Project":</p> <p>Contract will not cause direct physical change in the environment or a reasonably foreseeable indirect physical change in the environment because this project involves the preparation of audit reports.</p>
<p>2. If contract is considered a "Project" under CEQA:</p> <p><input type="checkbox"/> a) Contract IS exempt. (Draft NOE required)</p> <p><input type="checkbox"/> Statutory Exemption. List PRC and/or CCR section number: _____</p> <p><input type="checkbox"/> Categorical Exemption. List CCR section number: _____</p> <p><input type="checkbox"/> Common Sense Exemption. 14 CCR 15061 (b) (3)</p> <p>Explain reason why contract is exempt under the above section:</p>
<p><input type="checkbox"/> b) Contract IS NOT exempt. The Contract Manager needs to consult with the Energy Commission attorney assigned to their division and the Siting Office regarding a possible Initial Study.</p>

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**Budgets Information**

Contract Amount Funded		Breakdown by FY			Funding Sources			
Funding Source	Amount	FY	Amount	Approved ?	Funding Source	FY	Budget List No.	Amount
ARFVTF	\$		\$	No	Other	10-11	100.100	\$81,989
ECAA	\$		\$	No	Funding Source			\$
State- ERPA	\$		\$	No	Funding Source			\$
Federal	\$		\$	No	Funding Source			\$
PIER - E	\$		\$	No	Funding Source			\$
PIER - NG	\$		\$	No	Funding Source			\$
Reimbursement	\$		\$	No	Funding Source			\$
RRTF	\$		\$	No	Funding Source			\$
Other	\$81,989	10-11	\$81,989	Yes	Funding Source			\$
TOTAL: \$81,989		TOTAL:	\$81,989		TOTAL: \$81,989			
Reimbursement Contract #:					Federal Agreement #:			

Contractor's Administrator/ Officer		Contractor's Project Manager	
Name:	Kevin Wong	Name:	Kevin Wong
Address:	2880 Gateway Oaks Drive, Suite 100	Address:	2880 Gateway Oaks Drive, Suite 100
City, State, Zip:	Sacramento, CA 95833	City, State, Zip:	Sacramento, CA 95833
Phone/ Fax:	916)646-6464/(916)641-2727	Phone/ Fax:	(916)646-6464/(916)641-2727
E-Mail:	kswong@gilbertcpa.com	E-Mail:	kswong@gilbertcpa.com

Contractor Is

☒ Private Company (including non-profits)
☐ CA State Agency (including UC and CSU)
☐ Government Entity (i.e. city, county, federal government, air/water/school district, joint power authorities, university from another state)

Selection Process Used

☒ Solicitation IFB Solicitation #: 600-10-609
☐ Non Competitive Bid (Attach CEC 96)
☐ Exempt Select Exemption (see instructions)

Civil Service Considerations

☐ Not Applicable (Contract is with a CA State Entity or a membership/co-sponsorship)
☐ Public Resources Code 25620, et seq., authorizes the Commission to contract for the subject work. (PIER)
☒ The Services Contracted:
 ☐ are not available within civil service
 ☐ cannot be performed satisfactorily by civil service employees
 ☒ are of such a highly specialized or technical nature that the expert knowledge, expertise, and ability are not available through the civil service system.
☐ The Services are of such an:
 ☐ urgent
 ☐ temporary, or
 ☐ occasional nature
 that the delay to implement under civil service would frustrate their very purpose.

Justification:

In order to satisfactorily perform the work to be done under this contract, personnel must have specific expertise in auditing a very complicated bond structure for three consecutive years. As a result, this work could not be properly performed by civil service employees.

Payment Method

☒ A. Reimbursement in arrears based on:
 ☐ Itemized Monthly ☐ Itemized Quarterly ☐ Flat Rate ☐ One-time
☐ B. Advanced Payment
☒ C. Other, explain: Annually after approval of the final annual audit for each fiscal year.

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**Retention**

1. Is contract subject to retention? ☐ No ☒ Yes
 If Yes, Do you plan to release retention prior to contract termination? ☒ No ☐ Yes

Justification of Rates

The rates and the overall cost of performing each audit are similar to a previous contract with this vendor to perform similar auditing work. This vendor was the only bidder.

Disabled Veteran Business Enterprise Program (DVBE)

1. ☐ Not Applicable
 2. ☒ Meets DVBE Requirements DVBE Amount:\$ 81,989 DVBE %: 100%
☒ Contractor is Certified DVBE
☐ Contractor is Subcontracting with a DVBE: _____
 3. ☐ Requesting DVBE Exemption (attach CEC 95)

Is Contractor a certified Small Business (SB), Micro Business (MB) or DVBE?

- ☐ No ☒ Yes
 If yes, check appropriate box: ☒ SB ☐ MB ☒ DVBE

Is Contractor subcontracting any services?

- ☒ No ☐ Yes
 If yes, give company name and identify if they are a Small Business (SB), Micro Business (MB) and/or DVBE:
- | | | | |
|-----------------------------|-----------------------------|-----------------------------|-------------------------------|
| <input type="checkbox"/> No | <input type="checkbox"/> SB | <input type="checkbox"/> MB | <input type="checkbox"/> DVBE |
| <input type="checkbox"/> No | <input type="checkbox"/> SB | <input type="checkbox"/> MB | <input type="checkbox"/> DVBE |
| <input type="checkbox"/> No | <input type="checkbox"/> SB | <input type="checkbox"/> MB | <input type="checkbox"/> DVBE |

Miscellaneous Contract Information

1. Will there be Work Authorizations? ☒ No ☐ Yes
 2. Will there be IT expenditures? ☒ No ☐ Yes
 3. Is the Contractor providing confidential information? ☒ No ☐ Yes
 4. Is the contractor going to purchase equipment? ☒ No ☐ Yes
 5. Check frequency of progress reports
☐ Monthly ☐ Quarterly ☒ Draft and Final Bond 2003A and 2005A Bond Issue reports are due annually.
 6. Will a final report be required? ☒ No ☐ Yes
 7. Is the contract, with amendments, longer than a year? If yes, why? ☐ No ☒ Yes
 Technical tasks require that they audit Fiscal Years 2010/2011, 2011/2012, and 2012/2013.

The following items should be attached to this CRF

- | | | |
|---|---|--|
| 1. Scope of Work, Attach as Exhibit A. | <input type="checkbox"/> N/A | <input checked="" type="checkbox"/> Attached |
| 2. Budget Detail, Attach as Exhibit B. | <input type="checkbox"/> N/A | <input checked="" type="checkbox"/> Attached |
| 3. CEC 96, NCB Request | <input checked="" type="checkbox"/> N/A | <input type="checkbox"/> Attached |
| 4. CEC 30, Survey of Prior Work | <input type="checkbox"/> N/A | <input checked="" type="checkbox"/> Attached |
| 5. CEC 95, DVBE Exemption Request | <input checked="" type="checkbox"/> N/A | <input type="checkbox"/> Attached |
| 6. Draft CEQA Notice of Exemption (NOE) | <input checked="" type="checkbox"/> N/A | <input type="checkbox"/> Attached |
| 7. Resumes | <input checked="" type="checkbox"/> N/A | <input type="checkbox"/> Attached |

Contract Manager

Date

Office Manager

Date

Deputy Director

Date

The following signatures are only required when contract approval is delegated to the Executive Office and not approved at a Business Meeting.
 See Business Meeting Information Section.

Presiding Policy Committee

Date

Associate Policy Committee

Date

Executive Director

Date

